

**AFFIDAVIT IN SUPPORT OF APPLICATION FOR  
CRIMINAL COMPLAINT AND ARREST WARRANT**

I, Nishith Bhatnagar, Special Agent, Naval Criminal Investigative Service (NCIS), Yorktown, Virginia, being duly sworn, state the following:

1. I am a Special Agent with the NCIS, where I have worked since February 2001. Prior to joining NCIS, I was active duty US Army for nine years. I was a Special Agent with the US Army Criminal Investigation Division Command (USACIDC) for the last four years of my active duty that ended in January 2001. I graduated from the University of Southern Maine in 1995 with a Bachelor of Science in Business Administration. I am currently assigned to Resident Agency Yorktown. I am an "investigative or law enforcement officer of the United States" within the meaning of Title 18, United States Code Section 2510(7). That is, I am an officer of the United States, who is empowered by law to conduct investigations regarding violations of United States law, to execute warrants issued under the authority of the United States, and to make arrest of the offenses enumerated in the United States code. I am primarily responsible for investigating crimes which include but are not limited to fraud and other economic crimes. Over the course of my law enforcement career I have led, participated in, or managed numerous cases involving the violations of several federal statutes to include wire fraud, bank fraud, money laundering, and identity theft. I have personally been the affiant of and have participated in the execution of a numerous criminal complaints.

2. Based upon my training, experience, and discussions with other law enforcement officers, I have probable cause to believe that TREQUAN M. SMITH, the defendant herein, committed the following offense in violation of federal law: witness tampering by force and threat of physical force, in violation of Title 18, United States Code, Section 1512(a)(2)(C), and obstruction of justice, in violation of Title 18, United States Code, Section 1503.

**PROBABLE CAUSE IN SUPPORT OF  
CRIMINAL COMPLAINT AND ARREST WARRANT**

**The defendant and COCONSPIRATOR 1:**

3. At all times relevant, TREQUAN M. SMITH, the defendant herein, has been a resident of Hampton, Virginia, in the Eastern District of Virginia.

4. The defendant formerly resided with his wife, COCONSPIRATOR 1, who is several months pregnant with their first child.

**The federal criminal investigation:**

5. Since on or about April 2021, the defendant, COCONSPIRATOR 1, and several others have been targets of a federal criminal investigation into whether they knowingly and willfully joined together to execute a scheme and artifice to defraud and to obtain money, funds, credits, assets, securities, and other property owned by and under the custody and control of Navy Federal Credit Union by means of materially false and fraudulent pretenses, representations, and promises.

6. On or about July 16, 2021, I served COCONSPIRATOR 1 with a target letter, which indicated that COCONSPIRATOR 1 was the target of a federal criminal investigation involving violations of federal law, including conspiracy to commit bank fraud and bank fraud – in violation of Title 18, United States Code, Sections 1349 and 1344, respectively.

7. The target letter expressly warned that the government was “preparing a case to present to the Grand Jury” and that “destruction, alteration, or withholding of any record, document or other object required to be produced before the Grand Jury constitutes a serious violation of federal law, including, but not limited to, obstruction of justice.”

8. Shortly after being served by the target letter, COCONSPIRATOR 1 and the

defendant retained attorneys to represent them in connection with the pending criminal investigation.

9. Although I served COCONSPIRATOR 1, the defendant also came to know he was a target of the pending criminal investigation because his counsel inquired if he could represent COCONSPIRATOR 1 and the defendant. He was advised that he could not because both were targets of the government's criminal investigation.

**COCONSPIRATOR 1's cooperation in the government's investigation**

10. On or about July 20, 2021, COCONSPIRATOR 1 contacted the government through counsel and indicated an interest in proactively cooperating against the defendant and others in the government's criminal investigation.

11. As part of her cooperation, COCONSPIRATOR 1 recorded the defendant engaging in conduct in furtherance of the bank fraud conspiracy, including the defendant defrauding and attempting to defraud account holders at Navy Federal Credit Union.

12. On or about July 29, 2021, COCONSPIRATOR 1 was interviewed by the investigative team at the U.S. Attorney's Office in Newport News, Virginia. COCONSPIRATOR 1 provided detailed testimony regarding bank fraud conspiracy, including about the defendant and others' roles in the scheme and artifice to defraud.

**The defendant's witness tampering by force and threat of force**

13. While COCONSPIRATOR 1 was debriefing with law enforcement, the defendant tracked COCONSPIRATOR 1's vehicle to the vicinity of \*\*\* Lakefront Commons in Newport News, Virginia. The defendant determined this was the U.S. Attorney's Office and surmised that COCONSPIRATOR 1 was cooperating as part of the government's criminal investigation.

14. On or about the early morning hours of July 30, 2021, the defendant confronted

COCONSPIRATOR 1 about cooperating in the criminal investigation.

15. The confrontation escalated into a violent altercation while COCONSPIRATOR 1 was in the passenger seat of the defendant's vehicle. The defendant slammed on the brakes, punched COCONSPIRATOR 1 in the head, slammed COCONSPIRATOR 1's head into the passenger window, partially pulled COCONSPIRATOR's hair weave out, and choked COCONSPIRATOR 1 with both hands.

16. On or about July 30, 2021, members of the investigative team interviewed COCONSPIRATOR 1 who relayed the above information. Investigators photographed injuries consistent with COCONSPIRATOR 1's story, including a split lower lip, a damaged artificial hair weave, and a minor thumb laceration.

17. On or about August 1, 2021, COCONSPIRATOR 1 sent members of the investigative team a picture documenting bruising below COCONSPIRATOR 1's left eye, which COCONSPIRATOR 1 also attributed to the defendant's attack.

**The defendant's continued obstruction of justice**

18. On or about August 1, 2021, the defendant posed as an invented law enforcement officer named "Robert Peach" and contacted COCONSPIRATOR 1 using the assigned cellular telephone number (830) \*\*\*-6269.

19. The defendant told COCONSPIRATOR 1 that he needed to "meet up with the US attorney and you" in order to "take a urine test to prove your pregnant and a drug test." He further represented that if you "cooperate and be honest you will be on home arrest with probation."

20. The defendant then asked COCONSPIRATOR 1 to confirm the names of the other individuals COCONSPIRATOR 1 had implicated in the bank fraud conspiracy. Believing

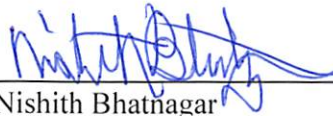
the defendant to be a member of the investigative team, COCONSPIRATOR 1 provided the defendant with this sensitive information, which revealed confidential aspects about the scope of the government's pending criminal investigation.

21. Later on or about August 1, 2021, the defendant again contacted COCONSPIRATOR 1 and bragged that he had tricked her into providing this sensitive information about the government's criminal investigation.

22. I have personally reviewed text messages between COCONSPIRATOR 1 and the assigned cellular telephone number (830) \*\*\*-6269 that further corroborate the defendant's actions on or about August 1, 2021.

23. This affidavit contains only enough information to establish probable cause and does not contain all the facts or information known to members of the investigative team.

WHEREFORE, based upon the above information, your Affiant believes probable cause exists to charge TREQUAN M. SMITH, with committing the following offenses in violation of federal law: witness tampering by force and threat of physical force, in violation of Title 18, United States Code, Section 1512(a)(2)(C), and obstruction of justice, in violation of Title 18, United States Code, Section 1503.

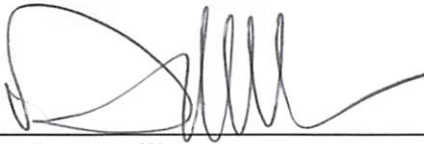
  
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Nishith Bhatnagar  
Special Agent  
Naval Criminal Investigative Service

Read and Approved:



D. Mack Coleman  
Assistant United States Attorneys

Sworn and subscribed to me  
On this 5th day of August 2021



Douglas E. Miller  
United States Magistrate Judge  
Norfolk, Virginia